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REMARKS

Claim 1 has been amended to recite an introduction section. This is supported throughout the application and at, for example, FIGS. 21-22 and the corresponding text.

Rejections under 35 U.S.C. § 102

According to the office action, claims 1-4, 15-18, 20-23, 25-27, and 38-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Perler (U.S. 4,863,072).

Claim 1 has been amended to recite a feature that is not disclosed in Perler. In particular, Claim 1 recites that a first column comprises an introduction section and an intermediate section wherein the introduction section has a different size than the intermediate section. Perler does not disclose this claim limitation. Perler therefore does not disclose all claim limitations.

The other claims rejected based on Perler are dependent from claim 1. Accordingly reconsideration and withdrawal of the rejections based on Perler is requested.

According to the office action, claims 1 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Fischer (U.S. 5,603,701).

As indicated above, claim 1 now recites an introduction section. Claim 24 depends from claim 1. Fischer does not disclose this claim limitation. Like Perler, Fischer provides a mere cylinder-type syringe having a constant diameter. Based on the foregoing, reconsideration and withdrawal of the rejection is respectfully requested.

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Rejections under 35 U.S.C. § 103

According to the office action, claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Perler in view of Phillips (U.S. 4,032,118).

In view of Applicants remarks in connection with claim 1, discussed above, and since Phillips does not make up for these deficiencies, Applicants requests reconsideration and withdrawal of the rejection under Section 103.

New Claims

Applicant has submitted new claims. Regarding new claim 54, it is similar in scope to claim 1 combined with claim 24. Claim 52 is a new dependent claim and is directed to the applicator and an artificial bone implant material, another feature that is not disclosed in the above cited references. Claim 53 further species the introduction section of claim 1. Applicant submits the subject matter of the new claims is supported in the application is not disclosed in the cited references.

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IN CLOSING

By the present Amendment, the Applicant believes that all issues raised in the Office Action have been addressed and that the Application is in condition for allowance. The Applicant therefore respectfully requests reconsideration of the claims and allowance of the Application. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at the telephone number set forth below.

Respectfully submitted,



Richard R. Batt
Reg. No. 43,485

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Date

ArthroCare Corporation
680 Vaqueros Avenue
Sunnyvale, California 94085-3523
(408) 736-0224